

## Senate Bill No. 524

### CHAPTER 587

An act to add Section 51220.6 to the Education Code, and to amend and repeal Section 11101 of the Vehicle Code, relating to instruction.

[Approved by Governor September 18, 2004. Filed  
with Secretary of State September 18, 2004.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 524, Vasconcellos. Instruction: automobile driver education.

(1) Existing law requires a driver's license issued to a person under 18 years of age to be issued under the provisional licensing program. Among the components of that program, an applicant for a provisional license is required to provide satisfactory completion of approved courses in automobile driver education and driver training maintained under the Education Code in a secondary school of this state or equivalent instruction in a secondary school of another state. Alternatively, existing law allows the applicant to satisfactorily complete an integrated driver education and training program, or the automobile driver education component may be satisfied through satisfactory completion of equivalent professional instruction acceptable to the Department of Motor Vehicles.

This bill would provide that the satisfactory completion of a course in automobile driver education offered by a private secondary school satisfies the instructional component requirements of these provisions if specified conditions are met.

(2) Existing law generally regulates driving schools and driving instructors. However, existing law provides, until a July 1, 2004, inoperative date, that those provisions are not to be construed to direct or restrict driver education courses offered by private secondary schools, as defined, or to require credentialed or certified instructors for courses offered by those private schools. Existing law repeals these provisions on January 1, 2005.

This bill would delete the July 1, 2004, inoperative date and the January 1, 2005, repeal date, thereby continuing these provisions indefinitely.

*The people of the State of California do enact as follows:*

SECTION 1. Section 51220.6 is added to the Education Code, to read:

51220.6. (a) For the purposes of subdivision (j) of Section 51220, Section 51220.1, and subparagraph (A) or (C) of paragraph (3) of subdivision (a) of Section 12814.6 of the Vehicle Code, the satisfactory completion by a pupil of a course in automobile driver education offered by a private secondary school satisfies the driver education instructional requirements of those provisions and the Department of Motor Vehicles shall issue certificates of satisfactory completion forms if the following conditions are met:

(1) The private secondary school has a current affidavit or statement on file under Section 33190 that includes a statement certifying that the school is in compliance with Sections 44237, 48222, and 51220.

(2) The private secondary school is in compliance with Sections 33190, 44237, 48222, and 51220.

(b) For the purposes of this section, “private secondary schools” means either of the following:

(1) A school that is subject to Sections 33190 and 48222.

(2) A person, firm, association, partnership, or corporation that does both of the following:

(A) Offers or conducts private school instruction of those courses described in Section 51220 on the high school level.

(B) Complies with Sections 33190, 33191, 44237, 48222, and 51220.

SEC. 2. Section 11101 of the Vehicle Code, as amended by Section 2 of Chapter 774 of the Statutes of 2002, is amended to read:

11101. (a) This chapter does not apply to any of the following:

(1) Public schools or educational institutions in which driving instruction is part of the curriculum.

(2) Nonprofit public service organizations offering instruction without a tuition fee.

(3) Nonprofit organizations engaged exclusively in giving off-the-highway instruction in the operation of motorcycles, if the course of instruction is approved by the National Highway Traffic Safety Administration and is not designed to prepare students for examination by the department for a class 4 drivers license.

(4) Commercial schools giving only off-the-highway instruction in the operation of special construction equipment, as defined in this code.

(5) Vehicle dealers or their salesmen giving instruction without charge to purchasers of motor vehicles.

(6) Employers giving instruction to their employees.

(7) Commercial schools engaged exclusively in giving off-the-highway instruction in the operation of racing vehicles or in advanced driving skills to persons holding valid drivers’ licenses, except



whenever that instruction is given to persons who are being prepared for examination by the department for any class of driver's license.

(b) For purposes of this section, "racing vehicle" means a motor vehicle of a type that is used exclusively in a contest of speed and which is not intended for use on the highways.

(c) (1) Nothing in this chapter shall be construed to direct or restrict courses of instruction in driver education offered by private secondary schools or to require the use of credentialed or certified instructors in driver education courses offered by private secondary schools.

(2) For the purposes of this section, private secondary schools are those subject to Sections 33190 and 48222 of the Education Code.

SEC. 3. Section 11101 of the Vehicle Code, as added by Section 2.5 of Chapter 774 of the Statutes of 2002, is repealed.

